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MAXLINEAR, INC. AND MAXLINEAR
9 COMMUNICATIONS LLC

10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

12 ENTROPIC COMMUNICATIONS,
13 LLC,

14 Plaintiff,

15 v.

16 COX COMMUNICATIONS, INC.;
17 COXCOM, LLC; AND COX
COMMUNICATIONS
18 CALIFORNIA, LLC,

19 Defendants,

20
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22 COX COMMUNICATIONS, INC.;
COXCOM, LLC; AND, COX
COMMUNICATIONS
23 CALIFORNIA, LLC,

24 Counter-Claimants,

25 v.

26 ENTROPIC COMMUNICATIONS,
LLC; MAXLINEAR, INC.; AND
27 MAXLINEAR COMMUNICATIONS
LLC,

28 Counter-Defendants.

Case No. 2-23-cv-01049-JWH-KES
(Lead Case)

**COUNTER-DEFENDANTS
MAXLINEAR, INC. AND
MAXLINEAR
COMMUNICATIONS LLC'S
APPLICATION FOR LEAVE TO
FILE UNDER SEAL REQUEST
FOR JUDICIAL NOTICE IN
SUPPORT OF NOTICE OF
MOTION AND MOTION TO
DISMISS AMENDED
COUNTERCLAIMS BY COX
COMMUNICATIONS, INC.,
COXCOM, LLC, AND COX
COMMUNICATIONS
CALIFORNIA, LLC**

Judge: Hon. John W. Holcomb

Hearing:

Date: March 29, 2024
Time: 9:00 a.m.
Place: Courtroom 9D, Santa Ana

Pursuant to Local Rule 79-5.2.2(b) governing documents designated by another as confidential pursuant to a protective order, Counter-Defendants MaxLinear, Inc. and MaxLinear Communications LLC (collectively, “MaxLinear”) hereby submit their Application for Leave to File Under Seal Request for Judicial Notice in Support of Notice of Motion and Motion to Dismiss Counterclaims by Cox Communications, Inc., CoxCom, LLC, and Cox Communications California, LLC (collectively, “Cox”).

MaxLinear seeks leave to file under seal the entirety of a Patent Purchase Agreement executed by MaxLinear and Plaintiff Entropic Communications, LLC that has been designated “Highly Confidential – Attorneys’ Eyes Only,” attached as Exhibit 1 to the Request for Judicial Notice.

Document to be sealed	Portions to be sealed
Exhibit 1 to MaxLinear’s Request for Judicial Notice	Entirety

Pursuant to Local Rule 79-5.2.2(a), MaxLinear applies to file under seal the document listed above. Under Rule 79-5.2.2(a), a party may seek leave to file a document under seal so long as the Application describes the nature of the information that should be closed to public inspection and is accompanied by: (1) a declaration establishing good cause why the strong presumption of public access in civil cases should be overcome and informing the Court whether anyone opposes the Application; (2) a proposed order; (3) a redacted version of the relevant documents; and (4) an unredacted version of the relevant documents. MaxLinear has complied with these requirements. The information that MaxLinear seeks to seal under Rule 79-5.2.2(a) is contained within a confidential agreement between MaxLinear, Inc. and Entropic Communications, LLC. The public does not have an interest in accessing this confidential information. Additionally, MaxLinear’s

1 request is narrowly tailored to only prevent the public from viewing confidential
2 information. Finally, Entropic does not oppose MaxLinear's under seal filing.

3 Therefore, compelling reasons exist to seal the entirety of the above
4 document. *See Aya Healthcare Servs., Inc. v. AMN Healthcare, Inc.*, 2020 WL
5 1911502, at *5 (S.D. Cal. Apr. 20, 2020) ("The Court agrees that compelling
6 reasons exist to seal references . . . to Defendants' proprietary business records that
7 detail sensitive financial terms, proprietary business strategies, and confidential
8 negotiations and agreements with third parties."); *In re Qualcomm Litig.*, 2019 WL
9 1557656, at *3 (S.D. Cal. Apr. 10, 2019) (granting motions to seal "confidential
10 business information of the parties, including trade secrets, proprietary business
11 records, discussions of internal strategy, company dealings, and materials
12 designated as 'Highly Confidential'").

13 MaxLinear respectfully requests that this Court order the unredacted
14 document to be filed under seal. This Application is accompanied by a Declaration
15 of Rose S. Lee and a Proposed Order.

1 Dated: February 6, 2024

MORRISON & FOERSTER LLP

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3 By: /s/ Rose S. Lee
4 Rose S. Lee

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